

REMARKS

Summary of the Office Action

Claims 1-14 are all the claims pending in the application.

Claims 1, 2, 5, 6, 8, 9, 12 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Satoh et al. (U.S. Patent 4,545,044) in view of the admitted prior art.

Claims 3, 4, 7, 10, 11 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Claim Rejections - 35 U.S.C. § 103

Independent claim 1 recites, *inter alia*, “a waveform rectification unit for comparing an RF signal read from a user data area of a recording medium with a reference signal, and outputting a rectified pulse signal, said user data area comprising a writable area and a non-writable area,” and “a detection unit for detecting said writable area of the recording medium by using an output signal of the latch unit and the pulse signal.” Independent claims 2, 8 and 9 recite similar features.

As discussed in the Amendment dated January 11, 2007, the envelope detecting circuit 32 of Satoh et al. is used to detect the impossibility of reading out the prewritten information or data, while the claimed invention relates to a detecting device for detecting a writable area before writing or reading of data with respect to an optical recording medium. On the other hand, the admitted prior art only teaches a general structure of an optical recording medium, and does not provide any teaching or suggestion about detecting a writable area.

Accordingly, neither Satoh et al. nor the admitted prior art teaches or suggests “a detection unit for detecting the writable area in the user data area of the recording medium by using an output signal of the latch unit and the pulse signal,” as recited in claim 1. Therefore, Applicants respectfully submit that claim 1 is patentable over Satoh et al. in view of the admitted prior art.

The Examiner states in the Office Action that “the independent claims are not drawn to detecting exclusively a writable area by excluding other areas such as the header or servo areas” (page 2 of the Office Action).

However, the specification at paragraph [0004] describes that “an optical recording medium is divided into a header area for storing information data, and a user data area on which user data is stored,” and the writable area detection device according to claim 1 is defined to the user data area of a recording medium. Accordingly, Applicants respectfully submit that claim 1 is clearly drawn to detecting exclusively a writable area of the user data area by excluding other areas such as the header area.

For similar reasons, Applicants respectfully submit that other independent claims 2, 8 and 9 are patentable over Satoh et al. in view of the admitted prior art, and therefore respectfully traverse the rejection of claims 2, 8 and 9.

Applicants respectfully submit that claims 5, 6, 12 and 13 are dependent claims including all of the elements recited in claims 2 or 9, and therefore are also patentable over Satoh et al. in view of the admitted prior art, at least because of their dependency from the independent claims 2 and 9.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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